

David W. Hodges (admitted pro hac vice)  
dhodges@hftrialfirm.com  
Texas State Bar No. 00796765  
HODGES AND FOTY, LLP  
4409 Montrose Blvd., Ste. 200  
Houston, TX 77006  
Telephone: (713) 523-0001  
Facsimile: (713) 523-1116

*LEAD ATTORNEY IN CHARGE FOR  
PLAINTIFF AND CLASS MEMBERS*

Local Counsel:  
Michael P. Balaban  
State Bar No. 9370  
LAW OFFICES OF MICHAEL P. BALABAN  
10726 Del Rudini Street  
Las Vegas, NC 89141  
(702) 586-2964  
Fax: (702) 586-3023  
Email: mbalaban@balaban-law.com

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CLARISSA HARRIS, on Behalf of Herself )  
and on Behalf of All Others Similarly )  
Situating, )

Plaintiff(s),  
v.

DIAMOND DOLLS OF NEVADA, LLC )  
dba the SPICE HOUSE, KAMY )  
KESHMIRI, JAMY KESHMIRI )

Defendants.

Case No. 3:19-cv-00598-RCJ-CLB\_\_\_\_\_

**STIPULATION TO CONTINUE  
RULE 16 CASE MANAGEMENT  
CONFERENCE**

**SECOND REQUEST**

Plaintiff Clarissa Harris, on behalf of herself and on behalf of all others similarly situated,  
and Defendants Diamond Dolls of Nevada, LLC dba Spice House, Kamy Keshmiri, Jamy Kesmiri

1 (“Defendants”) (collectively “Parties”) hereby request and stipulate to Continue the Rule 16 Case  
 2 Management Conference set for March 25, 2020 at 9:30 AM in Reno Courtroom 1 before  
 3 Magistrate Judge Carla Baldwin. Parties make this request pursuant to LR IA 6-1. The Parties  
 4 request that the Rule 16 Case Management Conference shall be continued 60 days. This is the  
 5 second request to Continue the Case Management Conference.  
 6

7 This request and stipulation is made in good faith and not for the purposes of undue burden  
 8 or delay. Defendants filed a Motion to Dismiss and Request to Strike on November 12, 2019  
 9 arguing, among other reasons, that the Complaint had not met the standard to plead and prove  
 10 “willfulness” under the Fair Labor Standards Act. (Doc. No. 14). The Parties first requested to  
 11 continue the management conference schedule for January 24, 2020 because Plaintiff intended to  
 12 file an Unopposed Amended Complaint to cure any pleading defect in the Original Complaint.  
 13 However, because of the recent order from the Court (Doc. No. 31) denying Defendants’ Motion  
 14 to Dismiss and Request to Strike (Doc. No. 14), Plaintiff will not be filing an Amended Complaint  
 15 since the Court determined Plaintiff sufficiently pled her case. While the Parties waited on the  
 16 Court’s ruling, they engaged in and continue to engage in informal negotiations of a potential  
 17 resolution of the present case. The Parties request that the Rule 16 Case Management Conference  
 18 shall be continued 60 days in order to allow negotiations to continue.  
 19  
 20

21 Postponing this deadline will prevent waste of judicial resources, minimize attorney’s fees,  
 22 and increase the likelihood that the Parties are able to reach a compromise and resolve the case.  
 23

24 **IT IS SO STIPULATED.**

25 Dated: March 16, 2020

26 /s/ David W. Hodges

27 David W. Hodges (admitted pro hac  
 28 vice)

Dated: March 16, 2020

/s/ Mark R. Thierman

Mark R. Thierman  
 Thierman Buck, LLP  
 State of Michigan Bar # P70495

1 HODGES & FOTY, LLP  
2 Texas State Bar No. 00796765  
3 dhodges@hftrialfirm.com  
4 4409 Montrose Blvd., Ste. 200  
5 Houston, TX 77006  
6 Telephone: (713) 523-0001  
7 Facsimile: (713) 523-1116

mark@thiermanbuck.com  
7287 Lakeside Drive  
Reno, Nevada 89511  
Telephone: (775) 284-1500  
Facsimile: (775) 703-5027  
ATTORNEY FOR DEFENDANTS,

8 *LEAD ATTORNEY IN CHARGE FOR*  
9 *PLAINTIFF AND CLASS MEMBERS*

10 /s/ Michael P. Balaban

11 Michael P. Balaban  
12 State Bar No. 9370  
13 Local Counsel for Plaintiff  
14 LAW OFFICES OF MICHAEL P.  
15 BALABAN  
16 10726 Del Rudini Street  
17 Las Vegas, NC 89141  
18 (702) 586-2964  
19 Fax: (702) 586-3023  
20 Email: mbalaban@balaban-law.com

21 **IT IS SO ORDERED:**

22 \_\_\_\_\_  
23 UNITED STATES MAGISTRATE JUDGE,

24 DATED: \_\_\_\_\_  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I certify that this document was served on all parties on March 16, 2020 via the Court's CM/ECF system.

/s/ David W. Hodges  
David W. Hodges